

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEROME POLVAY, individually on behalf of
himself and all others similarly situated,

Plaintiff,

vs.

FCTI, INC., and DOES 1-10, inclusive,

Defendant.

Case No.: 1:22-cv-04315-JSR


**[PROPOSED] ORDER REOPENING DISCOVERY REGARDING DAMAGES AND
CLASS NOTICE**

In light of the Court's order on April 28, 2023, granting class certification in this matter (Dkt. 55), the Court hereby **ORDERS** that discovery is reopened for purposes of acquiring the names and contact information for the class members at each of the ten banks identified in the Court's class certification order that were charged two balance inquiry fees during a single ATM visit to an FCTI ATM during the relevant time-period. Discovery is permitted from the ten banks on the instances each customer was charged two balance inquiry fees during a single ATM visit to an FCTI ATM and the amount of fees assessed to the customer by the banks for each such visit.

SO ORDERED.

Date:

1/5/24


JED S. RAKOFF
UNITED STATES DISTRICT JUDGE